



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 10, 2020

TIME: 12:45 PM

WSR 20-15-061

Agency: Department of Social and Health Services, Office of the Secretary

Subject of possible rule making: The department is planning to amend WAC 388-02-0075 and other related rules as may be required. The planned rule amendment allows electronic filing and electronic distribution of notices and orders to the office of administrative hearings via email by striking the email prohibition in the current rule, adding a provision for email filing with the Office of Administrative Hearings, and adding clarifying language.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.17.060, RCW 43.20A.550, RCW 34.05.020, RCW 34.05.350

Reasons why rules on this subject may be needed and what they might accomplish: To protect public health, safety, and welfare there is an emergent need to allow electronic filing and electronic distribution of notices and orders to the Office of Administrative Hearings supporting "social distancing" due to the public health crisis created by the COVID-19 virus (commonly referred to as the "Coronavirus"), and associated state of emergency in all Washington counties as proclaimed by Governor Inslee's "Proclamation by the Governor 20-05." The Office of Administrative Hearings has issued "Temporary Emergency Policy and Procedures" authorizing electronic filings for the DSHS, HCA, and DCYF caseloads, effective March 25, 2020. Instructions for using secure email filing are available at www.oah.wa.gov.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Analysis of new rules promulgated by the Office of Administrative Hearings permitting electronic filing and electronic distribution of notices and orders. DSHS welcomes the public to take part in developing rules. Anyone interested should contact the staff person identified below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:


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(If necessary)

Name:
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Other:

Additional comments:

Date: July 10, 2020	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	